REMARKS

Claims 1-28 were pending in the application. Upon entry of this Response, claims 18, 20-24, and 27-28 will be cancelled and claim 29 will be added. Thus, claims 1-17, 19, 25-26, and 29 will be pending. Applicants reserve the right to pursue the subject matter of the originally filed claims in this application and/or in related applications.

As a preliminary matter, claims 5, 8-13, 17, 21-23, and 28 are rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, the claims are rejected as indefinite because "they recite numerous non-equivalent alternatives."

Applicants respectfully disagree with the proposition that a dependent claim cannot recite numerous alternatives and/or that it can only recite equivalent alternatives. For example, claim 1 recites that "item codes" are printed on an item surface, and dependent claim 9 recites that an item code might be "(i) a bar code, (ii) a two-dimensional code, or (iii) a watermark." Applicants respectfully suggest that such a dependent claim does not need to be converted into three separate dependent claims. MPEP 2173.05(h).

Claims 1-15 and 25-26 are rejected under 35 USC § 102 and/or 103 as being anticipated by and/or obvious over US Patent No. 5,401,960 ("Fisun et al."), US Patent No. 6,039,257 ("Berson et al."), and a PDF417 specification included in Roger C. Palmer, The Bar Code Book ("Palmer").

Claims 16-17 and 19 are rejected under 35 USC § 102 as being anticipated by US Patent No. 5,498,305 ("Mailloux") and US Patent No. 5,522,623 ("Soules et al.").

Applications respectfully request reconsideration of these rejections in view of the amendments presented herein and the following remarks.

The References Do Not Suggest a "Plurality of Item Codes ... Substantially Invisible to a Human"

Claims 1-15, 25-26 and 29 as amended recite that "a plurality of item codes" are printed on an item surface, and that the item codes are "substantially invisible to a human" (or similar

language). As explained in the specification (*e.g.*, at page 2, lines 12-14), it might be difficult for a person to correctly position an item and/or a detecting device adapted read an item code if the item code is substantially invisible (*e.g.*, because he or she might not know where the item code is printed). By providing a plurality of item codes on the item surface, this task may be made easier (*e.g.*, multiple item codes such as those illustrated in FIG. 1 of the present application may increase the likelihood that he or she will position the item and/or detecting device appropriately - even when the item codes are substantially invisible).

Fisun discloses that a visible pattern 5 and an invisible pattern 6 can be printed on an article. Similarly, Berson et al. discloses a visible bar code 18 and an invisible bar code 31. Palmer discloses visible bar codes. Moreover, in these references an invisible code (if there is one) is co-located with a visible code. As a result, a person would have no problem correctly positioning an item and/or detecting device to read the invisible code (he or she would simply use the location of the visible code as a guide). That is, a problem addressed by the present invention would not arise in these references. Applications respectfully suggest that none of these references (alone or in combination) teach or suggest "a plurality of item codes ... substantially invisible to a human" printed on an item surface and that claims 1-15, 25-26 and 29 are allowable.

According to the Office Action, the invisible bar code 31 disclosed in FIG. 1 of Berson can be considered a plurality of item codes (*e.g.*, the data track 33, clock track 34, dark bar 36, empty space 37, and/or combinations of these elements can be considered separate item codes). Applicants respectfully disagree. While any machine readable code will store information using a plurality of symbols (*e.g.*, bars, dots, pixels, 1s and 0s, or alphanumeric characters), only a complete set of those symbols should be considered a "code." Similarly, only a complete set of PDF417 symbols (*e.g.*, rows having a start pattern, a left row indicator, data character codewords, a right row indicator, and/or a stop pattern) as disclosed in FIG. H-1 of Palmer should be considered a "code."

The References Do Not Suggest a Substantially Invisible Item Code "Located Remotely" From Another Substantially Invisible Item Code

Claim 2 as amended recites that a substantially invisible item code is "located remotely" from another substantially invisible item code on the item code surface. As previously noted, it might be difficult for a person to correctly position an item and/or a detecting device adapted read an item code if the item code is substantially invisible (*e.g.*, because he or she might not know where the item code is printed on the item surface). By providing a plurality of remotely located item codes on the item surface, this task may be made easier (*e.g.*, multiple remote item codes such as those illustrated in FIG. 1 of the present application may increase the likelihood that a person will position the item and/or detecting device appropriately - even when the item codes are substantially invisible).

Fisun discloses a co-located visible pattern 5 and invisible pattern 6. Similarly, Berson et al. discloses a co-located visible bar code 18 and invisible bar code 31 (even the embodiment illustrated by FIG. 3 of Berson is described in the specification as being "one above the other" at col. 4, line 51). Palmer discloses co-located symbols that form a code. Thus, none of these references teach or suggest a substantially invisible item code "located remotely" from another substantially invisible item code. This is an additional reason why claim 2 is allowable.

The References Do Not Suggest Two Substantially Invisible Item Codes That Are "Identical"

Claim 3 as amended recites that two substantially invisible item codes are "identical." When an item code is substantially invisible, it might be difficult for a person to correctly position an item and/or a detecting device adapted read an item code (*e.g.*, because he or she might not know where the item code is printed on the item surface). By providing identical item codes on the item surface, this task may be made easier (*e.g.*, identical item codes may increase the likelihood that the appropriate information will be read by a detecting device - even when the item codes are substantially invisible).

Fisun discloses that the information in the invisible pattern 5 is decoded with the information in the visible pattern 6 to avoid forgery (col. 2, lines 52-55). Similarly, Berson et al. discloses a visible bar code 18 and invisible bar code 31 that are different (FIG. 1). Palmer

discloses a standard PDF417 code. Thus, none of these references teach or suggest two substantially invisible item code that are "identical." This is an additional reason why claim 3 is allowable.

The References Do Not Suggest Substantially Invisible Item Codes "Printed on Each of ... Two Sides" of an Item

Claim 14 as amended recites that two substantially invisible item codes are "printed on each of ... two sides." When an item code is invisible, it might be difficult for a person to correctly position an item and/or a detecting device adapted read an item code (*e.g.*, because he or she might not know which side of the item's surface has the item code). By providing item codes on multiple sides, this task may be made easier (*e.g.*, the likelihood that the an item code will be positioned so as to be read by the detecting device may be increased - even when the item codes are substantially invisible).

Fisun discloses a located visible pattern 5 located on the same side of the item as the invisible pattern 6. Similarly, Berson et al. discloses a visible bar code 18 located on the same side of the item as the invisible bar code 31. Palmer discloses symbols that form a code (presumably on a single side). Thus, none of these references teach or suggest two substantially invisible item codes printed on each of ... two sides." This is an additional reason why claim 14 is allowable.

The References Do Not Suggest Visible Information and a Substantially Invisible Item Code Printed on "the Same Area of [an] Identification Card Surface"

Claims 16-17 and 19 as amended recite that visible information and a substantially invisible item code are printed "on the same area of [an] identification card surface." In this way, the appeal of the identification card may be increased because unattractive visible machine-readable codes can be avoided (*e.g.*, as described at page 2 of the specification, lines 3 to 5).

Mailloux discloses that a holograph 100 can be provided on an identification card to prevent the creation of fraudulent identification cards. Applications respectfully submit that the

holograph 100 is not "substantially invisible to a human" as recited in these claims. That is, although the holograph 100 may be transparent it can still "readily be detected even by untrained personnel" so that a fraudulent identification card can be easily spotted (col. 1, lines 59-60, col. 11, lines 24-25). Moreover, the holograph 100 is printed on a transparent pouch 14 while the visible information 94, 98 is printed on an insert 74 (col. 11, lines 13-25). Thus, the information is not printed on the "same area of the identification card surface" as recited in these claims (in fact, the information is printed on an entirely different surface).

Soules et al. discloses an identification card 10 including invisible information 16 and visible information 13, 14. The invisible information 16 and visible information 13, 14, however, are printed on different layers (col. 6, lines 31-42). As a result, the information is not printed on the "same area of the identification card surface" as recited in these claims (again, the information is printed on an entirely different surface) and claims 16-17 and 19 are allowable.

If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-0191.

Respectfully submitted,

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Date

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